

consisting of parallel to, obliquely in relation to, or perpendicularly to the transverse direction of the ~~fibrous~~ fabric tampon ~~web~~ band.

REMARKS

I. Status of the Claims

Claims 1-12 are pending. Claims 10-12 have been amended to replace “fibrous tampon web” with “fabric tampon band” in an effort to be consistent with the language used in the Specification. Support can be found in the Specification, at least at pages 6 and 7 and Figures 7 to 10 and original claims 10-12.

II. Notice of Non-Compliant Amendment

In the Notice, the Examiner argues that the amendment is not compliant for the following reasons: (1) “The location of the amendments in pages 2 and 3 are incorrect, e.g., not page 2, line 17”; (2) The abstract is not presented on a separate sheet; and (3) the Amendment is unsigned or not signed in accordance with 37 CFR 1.4. Each of these objections are taken in turn below.

(1) “The location of the amendments in pages 2 and 3 are incorrect, e.g., not page 2, line 17.”

Applicants respectfully submit that the line numbering referred to in the previous amendment was correct. Applicants have checked the numbering with the specification available on PAIR and it appears to be correct. Nevertheless, in an effort to help the Examiner understand the Amendments, Applicants have included additional information for where the amendments to page 2 and 3 should be made.

(2) The abstract is not presented on a separate sheet.

Applicants note that the Examiner previously objected to the Abstract as a copy of the PCT Abstract which was on a separate page. Indeed, Applicants have confirmed through a copy of the Abstract available on PAIR that it is on a separate page. Applicants submitted a new abstract to replace the PCT abstract. The Examiner now argues that the Abstract is not on a

separate page. Applicants have added the language “present on a separate page.” It should now be clear to the Examiner that the abstract is on a separate page.

(3) The Amendment is unsigned or not signed in accordance with 37 CFR 1.4.

It appears that this box was checked by mistake and the Examiner intended to check Box 4, E. “Other.” On the Continuation Sheet the Examiner states that the amendments to claim 11 do not address the rejection in paragraph 6, bridging pages 4-5 of the last Office action.

Applicants have amended claim 11 to correct a typographical error resulting from the Preliminary Amendment. Further, each of claims 10, 11 and 12 have been amended to recite “Fabric tampon band” instead of “fibrous tampon web” to be consistent with the language used in the specification. See, in particular, page 6 and 7 and Figures 7 to 10.

Applicants believe that this Amendment and Remarks in combination with the previous Amendments filed July 17, 2008 and December 8, 2008 represent a full and complete response to the Office Action mailed April 17, 2008.

(4) The 12-8-08 response did not submit the corrected specification section of 7-16-08 just a portion thereof.

Applicants have added the missing portion of the corrected specification section.

(5) The claims 1 and 4-9 improperly show amendments although the status identifier of each claim is properly set forth as “(Previously Presented)”.

Applicants have made the necessary corrections.

III. Conclusion

For the reasons set forth in the previous Amendment, Applicants respectfully request withdrawal of all outstanding objections and rejections. If the Examiner feels that a discussion with Applicants’ representative would be helpful in resolving the outstanding issues, the Examiner is invited to contact Applicants’ representative at the number provided below.

Application Serial No. 10/553,020
Docket No. J&J5031USPCT
Page 9 of 9

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 10-0750/J&J5031USPCT/JPB. If a fee is required for an Extension of time 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account No. 10-0750/J&J5031USPCT/JPB.

Respectfully submitted,

By: /James P. Barr/
Attorney for Applicant(s)
James P. Barr
Reg. No. 32,882

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2826